

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ELIJAH MILLER

CIVIL ACTION

v.

JEROME WALSH, et al.

NO. 13-3093

FILED JUL 16 2014

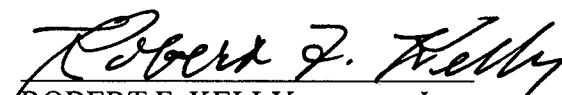
**ORDER**

AND NOW, this 16<sup>th</sup> day of July, 2014, upon consideration of the pleadings and record herein, and after review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter, it is hereby

**ORDERED**

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Petitioner's petition for a writ of habeas corpus is **DENIED**;
3. Petitioner's request for an evidentiary hearing is **DENIED**;
4. Petitioner's request for appointment of counsel is **DENIED**; and
5. There is no probable cause to issue a certificate of appealability.

BY THE COURT:

  
ROBERT F. KELLY, J.

**ENTERED**

JUL 16 2014

**CLERK OF COURT**